

Van den Berghe, P. L. (1981), "Racism," *Encyclopedia Britannica*, 15th edition, Volume 15, 360-366.

Wallerstein, I. (1991), *Unthinking Social Science: The Limits of Nineteenth-Century Paradigms*, Cambridge: Polity Press.

Wilkerson, I. (1992), "The Tallest Fence: Feelings on Race in a White Neighborhood," *New York Times*, June 21, 1992, Section 1, 18.

Willhelm, S. M. (1970), *Who Needs the Negro?* Cambridge: Schenkman.

Wilson, W. J. (1996), *When Work Disappears: The World of the New Urban Poor*, New York: Alfred A. Knopf.

Young, I. (1990), *Justice and the Politics of Difference*, Princeton: Princeton University Press.

Zukin, S. (1995), *The Cultures of Cities*, London: Blackwell.

## CHAPTER 4 EROSION OF THE NATION-STATE AND TRANSFORMATION OF NATIONAL IDENTITIES\*

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The rise of multiculturalism and the increase of claims for categorical equity are some of the most salient phenomena in the recent evolution of western democracies (Taylor 1992b, Kymlicka 1995, Pal, 1993). They are the signs of a profound crisis of the political institutionalization process inherent to modernity. This crisis can be summarized in three movements: a crisis of the public space where discussions over power and the resolution of conflicts take place; a crisis of the capacity of democratic institutions to achieve necessary compromises; and a crisis of the political community as "a source of mutual recognition and trust" (Kymlicka 1995) and as "a common moral horizon" (Taylor 1992a).

The failures of the political institutionalization process are closely related to the erosion of the Nation-State, challenged in its capacity to remain the main instance of the reproduction of social relations. Externally, globalization and the world market tend to deprive the State of its capacity to regulate the economic process. Internally, the fragmentation of the political community challenges the State's ability to insure political regulation.

Two sets of questions arise from this situation. First, are the erosion of the Nation-State and the fragmentation of identities irreversible processes? Second, up to what point are these processes problematic? In the case of the Nation-State, is it not possible that the weakening of political institutions can be compensated by the consolidation of the rule of Law? Is it not also thinkable that the multiplication of communities and categorical groups represents progress in the conquest of an ever-enlarged set of rights, rather than a fragmentation of society? We propose some answers to these questions by looking at the Canadian example, using results from our research on the formation and evolution of political identities in the prime ministers' speeches at the Federal-Provincial Constitutional Conferences in Canada from 1941 to 1992 (Bourque et Duchastel 1996a).

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In the first section, we explain how the fragmentation of identity is taking place in the process of constitutional debate in Canada. The Canadian case may be considered typical of the overall transformations of present societies, in both their economic and political forms. In the second section, we raise the question of the existence of a political legitimacy crisis in Canada. The narrowing of the public sphere and the weakening of the political community are examined in the general context of western societies and in the specific case of Canada. We then conclude with some propositions for the reinvention of political community and citizenship as these emerge from our analysis of the Canadian case.

### The Fragmentation of Identity in Canada.

In Canada, both the constitutional question and the formation of a national identity have long been problematical. The mere fact that Canada was not able to repatriate its Constitution before 1982 and that its total independence was acquired only very gradually [sovereignty over its international policies (Status of Westminster 1931); Canadian citizenship (1946); reference to the British Private Council ending in 1949; repatriation of the Constitution (1982)] explains why the constitutional question has been an unending one. In this context, Canadian identity as such, and its relation to other competing identities, developed as a very complex process.

We argue that the identity-formation process is closely linked to the evolution of both the political regime and the form of the State (Bourque et Duchastel 1996a). The initial choice of a federal regime, rather than a legislative union, was imposed by the existence of "the people of Lower Canada (present day Quebec)... with a different language, nationality and religion from the majority..." and by the "disinclination on the part of the various Maritime Provinces to lose their individuality, as separate political organizations..." (John A. MacDonald, Legislative Assembly, Canada, 1865). The Quebec and regional questions were already present at the outset of the Confederation. The Constitution of 1867 was a conservative compromise between the elites of the British colonies who were incapable of resolving the problem of a stable coexistence between the "two founding peoples." Regional tensions and the Aboriginal national existence were more or less ignored in the original arrangement and have tended to develop new demands through time.

The other factor relating to the formation of identity is the transformation of the role and the form of the State. We believe that the historical passage from one form of the State to another has an effect on the representation of Canadian identity. During the first period, until the Second World War, characterized by a liberal form of the State, Canadian identity was more or less split into two ethnic representations: Anglo-Saxon and Protestant extraction and French-Canadian and Catholic extraction.

An original Canadian identity emerged during the 1940s with the rise of the Welfare State. The introduction of social policies which transformed State interventions in Canada contributed to the formation of a proper national Canadian identity based on a common belonging to a social citizenship. A new civic nationalism was coupled with the project of a universalistic system of redistribution. This purely Canadian identity made very poor use of the concept of nation, and rather focused on the idea of a community of citizens entitled to the same services in shared national institutions. During this period, the Quebec government kept a more or less ethnic approach, still defining French-Canadians by their shared language and religion. This attitude can be explained by a three-fold resistance. Duplessis, prime minister of Quebec, refused the redistribution of powers in favor of the central government, did not accept the new definition of Canadian citizenship and, most of all, objected to the transformation of the role of the State. He defended a liberal form of the State, favoring a strict interpretation of the Britannic North American Act and arguing that the federal government should respect the pact between the two founding nations of Canada. In the 1960s, having completed the Welfare conversion of its State apparatus, Quebec moved from an ethnic national representation inside Canada towards a competing political national representation.

Since the beginning of the 1980s, with the neoliberal turn, we observe a new transformation of the Canadian identity, from a universalistic citizenship towards a particularistic identity. Beside the adoption of the Charter of Rights and Freedoms, many factors have contributed to this shift. First, the inherent incapacity throughout Canadian history of defining a consensual national identity has generated many contradictory ways of representing political identity. Second, the complexification of social relations induced by the development of the Welfare society has contributed to a multiplication of groups defending their specific rights. Third, the current transformation of the State toward a neoliberal form is favoring the dissolution of collective solidarities.

We believe that the 1960s constituted a turning point in the dynamic of the new definition of Canadian identity, leading to the political deadlock of the '80s and '90s. Many factors have contributed to the transformation of Canadian identity during this period, of which the rise of Quebec's nationalism is probably the main impetus. The Federal government's answer to Quebec's demands for recognition was the Official Language Act (1970). This choice may be considered as the first step to the particularization of identity in Canada. Rather than recognizing in the Constitution the political rights linked to the existence of a national minority, the Federal government chose to give language rights to citizens based on their common membership in a cultural community. Language rights were given to individuals as long as they belonged to specific communities. What needs to be stressed here is that the Federal government

initiated at that moment the identification of particular beneficiary groups (in this first case, the English-speaking and the French-speaking).

Other factors also contributed to the transformation of Canadian identity as it had been defined in the '40s. The recognition of beneficiary groups on a particularistic base will have deterrent effects on the universalistic perspective on which rested the Canadian civic nationalism. Let us just mention the other particularisms that emerged at the turn of the '60s. The missed attempt to integrate Aboriginal peoples through the Indian Bill in 1969 (Weaver 1981), which aimed at abolishing any special privileges or rights in exchange of full citizenship, led to the resurgence of yet another counter-nationalism. The refusal of a policy of biculturalism that had been suggested by one of the presidents of the Laurendeau-Dunton Royal Commission on Bilingualism and Biculturalism (1970) and the adoption of a multicultural policy at the beginning of the '70s led to increased demands on the part of many cultural communities. At the same moment, categorical claims were favored by the official policies of the Secretary of State of Canada (Pal 1993), facilitating the organization of a multiplicity of beneficiary groups, feminist organizations for example.

During the constitutional debates preceding the repatriation of the Constitution in 1982, cultural communities and social movements were not only formulating demands but asking for the constitutionalization of their rights. Without saying that Trudeau's government and the Canadian Secretary of State manipulated these movements, the fact remains that the Federal government was at least able to rely on their support against some of its provincial counterparts in the discussions prior to the repatriation of the Constitution. In the context of the Welfare State, the denial of national minorities' claims and the particularistic answers given to linguistic, cultural and social minorities contributed to the constitutionalization of a particularistic citizenship resting on the Charter of Rights and Freedoms.

The Charter of 1982 is a mixture of potentially contradictory rights. Beside the classic universalistic rights (individual freedoms, political and judicial rights, articles 2 to 14) and the nonetheless universalistic social rights (equal opportunities, article 36 not in the Charter as such), we find a list of more or less particularistic rights: the rights of linguistic and cultural groups (official language and multiculturalism, articles 16 to 22 and 27), and the categorical rights aiming at special beneficiary groups of citizens (non-discrimination and equality of designated groups like women and disabled, articles 28 and 15). Beside these, the Charter recognizes some rights for the Aboriginal peoples (article 35), situated midway between cultural and national rights. Significantly, such recognition was not granted to Quebec.

We must insist that the recognition of these rights should not be attributed only to the Canadian constitutional process. What characterizes Canada is not so much the recognition of new rights, but their constitutionalization which, as we will see, represents a fundamental difference from other countries. In the

tradition of T. H. Marshall (1977), it is possible to consider that Modernity is characterized by the progressive enlargement of human rights, from civil and political rights to social rights, and progressively, to ethnic and categorical rights (Birnbau 1996, Parsons 1969, Young, 1990). Stated this way, it seems that the generalization of human rights is the consequence of some general movement of progress. Regrettably, we do not think that the transformation always moves in the same direction. It is important to bear in mind that the extension of different rights must be examined with the evolution of larger social phenomena, and that their application can sometimes be relatively contradictory.

The introduction of the Charter of Rights and Freedoms in Canada coincides with many global phenomena, such as the globalization of the economy, the emergence of a neoliberal form of the State, the exhaustion of salary-based work relations, and the judicialization of social relations at every level of society. It could be said that the proliferation of rights is one of the ultimate effects of the bureaucratization of the Welfare State, which progressively tended to define more and more beneficiary groups, rather than furthering more comprehensive citizenship. In the Canadian case, the Charter introduced many oppositions between different kinds of rights without indicating their respective precedence. It also gave to the Courts the responsibility of deciding upon their interpretation and application.

### Is There a Crisis of Political Legitimacy in Canada?

The crisis of political legitimacy in Canada can best be illustrated by the successive failures of the political process in the constitutional domain since 1982: failure of the constitutional conferences on the Aboriginal question (1983-1987); failure of the Meech Lake Accord (1987-1990); failure of the Charlottetown agreement (1992); absence of any credible answer following the very close results of the Referendum on sovereignty in Quebec (1995); and silence surrounding the recommendations of the Dussault-Erasmus Report on Aboriginal peoples (1996). The rules for the amendment of the 1982 Constitution and the complexification of society have rendered the resolution of these questions both politically and socially difficult, if not impossible (Bourque and Duchastel 1996b).

If undoubtedly there is a legitimacy crisis at the practical level of constitutional debates, there is no theoretical unanimity about the interpretation of this crisis. Beyond dispute is the presence of deep transformations of the economic, social and political structures. The debate starts with the interpretation of these transformations and of the challenge they represent for institutions. In the following lines, we will examine two central questions related to the potential existence of a crisis of legitimacy (or of legitimation in the terms

of Habermas 1975): the narrowing of the public sphere and the weakening of the political community. We then return to the Canadian case.

### **Narrowing of the Public Sphere**

The importance and the centrality of the public sphere, where power discussions and conflict resolutions take place in modern societies, are currently challenged. The shift from the legislative institutions to the judicial ones and the move from a universalistic to a particularistic conception of citizenship are signs of this dynamic. But again, it is possible to evaluate very differently these movements towards the differentiation of entitled groups and the guarantees that their rights will be respected by the courts of law. In a post-modern perspective, the extension of rights for an increasing number of social categories represents the progressive affirmation of a "real" citizenship for the dominated and the excluded. In T. H. Marshall's perspective, the history of modern society can be interpreted as the conquest of new rights through three major phases. First, political and judicial citizenship has been extended through universal suffrage and the rule of law. Second, social citizenship has emerged with social security programs and has been consolidated in a universalistic perspective within the Welfare State. Finally, the development of a particularistic citizenship should lead to the recognition of social and cultural categories which were marginalized until now.

This post-modern interpretation, which should certainly not be completely disregarded, ignores the threat to universalism and the increasing role of the judicial process associated with the rise of particularism. The formation of the liberal State (1840-1930) (Burdeau 1987, Rosanvallon 1984) is characterized by the proclamation of formal and universal citizenship, which remained through its transformation into the Welfare State (1930-1980) (Ewald 1986). But civil, political and judicial rights ignored the inequalities in relation to class, gender, generation or culture (Kymlicka 1995). By addressing the question of inequality directly, the Welfare State enlarged the scope of universalism. In the European and Canadian Welfare States, for example, the approach has been universalistic, even if the social policies were aimed at some specific segments of the population. Social problems and social risks were usually approached within a universalistic perspective. With the emergence of the neo-liberal State, at least in Canada, we see a transformation of this universalistic orientation into a particularistic approach. In the domain of social security, the universalistic measures are replaced by particularistic policies targeting specific social categories (Boismenu and Jenson 1996). In the field of rights recognition, categorical and cultural rights are given to many newly-entitled groups on a more or less biological, behavioral or ethnocultural basis, thus negating a fundamental postulate of universalism.

The rise of particularism is also accompanied by a shift in the division of power between the political and the judicial realms. In Canada, this movement is the result of both the growing importance of judicial revision (Reed and Howe 1991) in the context of the bureaucratization of the Welfare State and of the constitutionalization of the Charter of Rights and Freedoms. The increasing subordination of Parliaments to Courts and to technocratic apparatus leads to the reinforcement of the legal process, administrative or constitutional in nature, to the detriment of the legislative process. An important question arises from this new dynamic. Given the positive aspect of proclaiming new rights and of insuring their judicial protection, some evidence shows that the Courts are often conservative and do not always decide in favor of weak citizens (Mandel 1994). Is there substantial reason to believe that the Courts will defend citizen rights better than the political system?

We wish to stress the fact that both the weakening of modern universalism and the judicialization of social relations are realities which must be dealt with. While it is true that democracy is challenged by the introduction of a multiplicity of entitled groups referring to the judicial system, it is also true that no regression towards the previous classical or social universalistic models is possible. The ensuing political task is to imagine forms of universalism which can cope with the complexity of present societies. In the same manner, even if the tendency to constitutionalize particularistic rights and judicialize the decision process may have a deterrent effect on the political capacity of society to rule itself, it is not possible to ignore the central importance of different sets of rights. Democracy must also be reinvented to take into account the complexification of different regimes of inequalities. In that sense, citizenship must be questioned intrinsically in its relation with political institutions. Should citizenship rest on the relations between individuals or groups and the Courts, or should it rather rely on the larger political community in the public sphere? This question is of great importance in the Canadian situation where the combined effect of the constitutionalization of rights (judicialization) and the fragmentation of identities have jeopardized any significant political compromise.

### **Weakening of the Political Community**

From the start, political modernity established a close link between citizenship and popular national sovereignty (Gellner 1989, Schnapper 1994). The two processes of individualization and nationalization have characterized the formation of the modern State. The principle of citizenship implies that all citizens form a political community, giving its legitimacy to the political system and insuring social cohesion. In western democracies, different articulations of these two principles can be observed. The liberal tradition insists on individual freedom and on the necessity for the community to be protected from the State.

The republican perspective stresses the necessary link between the Nation and the citizen, giving birth to more centralized national systems. In between, as is the case in Canada, social citizenship and pragmatic regroupings on a territorial, societal or governmental base are favored. But, in every case, some solution was adopted to address the tension between the individualization process and the necessary construction of political communities.

The weakening of the political community can indeed be considered as the second manifestation of the political legitimacy crisis. Both the judicialization of social relations and the erosion of the Nation-State seem to precipitate the dissolution of social links inside the national space. On the one hand, the community of citizens is more or less deprived of its capacity for democratic action inside the political arena. On the other hand, national States' capacity to intervene in their own economic and social spheres is greatly diminished by globalization. Economic regulation is no longer controlled within national borders because it is now under the supervision of technocratic supra-national institutions like the Organization for Economic Co-operation and Development (OECD), the World Trade Organization (WTO), the World Bank and the International Monetary Fund (IMF). National economic policies are merely adapting to more general trends induced by free trade agreements (Deblock et Brunelle 1993, Boismenu 1995). Social legislation is being regressively adjusted to this general context under the pressure of the financial crisis of the State. Moreover, the political community tends to implode under pressures coming from the growing assertion of regionalism, localism and neo-corporatism. Such phenomena can be interpreted as being new ways through which the political sphere is activated. They can also be viewed as jeopardizing the global solidarity that should characterize the political community.

### Political Crisis in Canada

We have to take into account both the overall influence of these factors and the specificity of its constitutional history to analyze the Canadian situation. At a general level, Canada and Quebec are confronted by the same problems concerning the effects of globalization and the internal complexification of their own society; at a more specific level, however, the two have different views of the present situation and of what it should become, given that these views are far from being hegemonic. Canada has developed over the time an institutionalized conception of the political community. As we have seen, the Canadian political discourse makes very poor use of the concept of nation and rather refers to the notion of citizenship. Since the end of World War II, the Canadian political community has been conceived as the actual regroupment of citizens in national institutions. Even if this representation has evolved from a universalistic conception to a more particularistic one, its central notion remains the citizen.

This transformation in the conception of citizenship is marked by the shift from Welfare policies to the Charter of Rights and Freedoms as the central symbol of national identity. For most Canadians outside Quebec, the whole process of the 1982 repatriation of the Constitution and of the constitutionalization of the Charter is considered perfectly legitimate. Many groups of Canadians feel that the Charter contributes to the recognition of their rights, while there is little concern about the recognition of national groups like Quebecers or Aboriginal people. The Charter's conception is that Canada has become a mosaic of different entitled groups which should not be discriminated against in any way. Any principle of precedence between different types of situations is regarded as unacceptable. Nevertheless, we must remember that both national questions remain to be answered and will continue to challenge the stability of Canadian political institutions.

As we all know, Quebec is no more homogeneous than Canada. First, important minority groups represent around 20 per cent of the population. If it became independent, Quebec would face the same problems that Canada faces today. Second, Quebecers of French origin continue to be ambivalent about their identity. But, on the whole, it is possible to say that Quebec's successive governments have had a completely distinct representation of national identity. Quebec's prime ministers have always insisted on the existence of a nation or of a people of Quebec. Quebec has adopted the republican model by asserting that citizenship cannot be isolated from the existence of the nation. This explains why Canada and Quebec are putting forward different integration models to newcomers. Canada insists on multiculturalism and the Charter of Rights, while Quebec is proposing an integration into a common French political culture that takes into account the plurality of cultures (Labelle et al. 1995).

The repatriation of the Constitution in 1982 completely changed the perception of the constitutional stakes in both Canada and Quebec. If, in the Canadian view, Quebec has become one actor among many others, Quebec's representation remains profoundly nationalistic. Most of the francophone Quebecers resent their exclusion from the constitutional process in 1982. The constitutionalization of the Charter is still considered as a political strategy to overcome Quebec's language legislation. The shift in the balance of power between the parliaments and the courts is also viewed as diminishing the legislative capacity of Quebec. Finally, the rules for amending the Constitution, which were also adopted without Quebec's consent, are seen as rendering any political recognition of Quebec's specificity impossible, as was illustrated by the failures of the Meech Accord and the Charlottetown agreement.

If we add to the Quebec problem other potential conflicts that can emerge from the unsolved Aboriginal question (e.g. translation of their proclaimed rights into real institutions) and from the regional tensions, we must conclude that the political crisis in Canada is likely to become very severe.

### Reinventing Political Community and Citizenship

There is no simple solution to the challenges faced by western societies. On one hand, the restoration of the classical democratic model centered on one Nation, which has prevailed until recent years, is unable to prevent the erosion of the Nation-State. On the other hand, both the classical and the social conceptions of universalism are incapable of coping with the fragmentation of identities. We are faced with the necessity to reinvent the political community, in the direction of supra-national political entities, and citizenship within a pluralistic perspective (Ferry 1991, Kymlicka 1995).

This task will take as many different forms as there are different historical situations. Political institutions and conceptions vary considerably from one country to the other. First, the more or less centralized character of national institutions will influence the possible outcome for future solutions. Second, the conception of the particular articulation between universalism and particularism will also mark the possible outcome of these transformations. For example, the capacity to integrate social differences seems to be greater, at least at the ideological level, in the Anglo-Saxon world than in some centralized European countries like France. In France, one must be very prudent when considering the necessity to deal with the growing complexification of social relations, even more when the question of defining specific rights is raised. By contrast, in the United States and in Canada, the question of pluralism and multiculturalism seems to be better understood, but remains the object of many debates (Taylor 1992b, Kymlicka 1995).

First, we will examine the problem of reinventing new political institutions that can respond to the present challenges of globalization; second, we will propose an alternate way of thinking about the fragmentation process. In our discussion we will keep in mind possible solutions for the resolution of the Canadian crisis.

This first question concerns the reconstruction of politically-significant institutions. Both the primacy of the market and the growing importance of bureaucratic institutions aimed at its regulation are challenging the traditional role of the Nation-State. The weakening of the political process should be remedied by the construction of supra-national political institutions. The only existing example is the European community which is still in the process of developing its own political institutions. The core idea is that these institutions ought to be more than a technocratic apparatus and must refer to a community of citizens. The formation of a supra-national political community should be considered as an occasion to restore the democratic process at the level of global decision-making. This new political community would superimpose itself, without erasing national entities, in certain domains that can no longer be dealt with at the national level.

The concept of supra-nationality could be applied to the Canadian situation characterized by recurrent national conflicts over the recognition of inner-dominated nations, which is also the case of Spain and the United Kingdom. As we have seen earlier, there has been a fragmentation process of identities in Canada during the last thirty years, adding to the problem of national claims many other demands from cultural or categorical groups. This complexification of heterogeneous identities, without lessening the national tensions, has led to the increase of actual as well as potential conflicts. We believe that the creation of a supranational political entity would contribute to the resolution of these conflicts. In such a case, the Canadian State would first have to recognize that Canada is a multinational state (Kymlicka 1995) as well as a multicultural society. One solution could be the transformation of the Canadian federation into a Confederal Union whose constituents would be Quebec, the Aboriginal peoples (Dussault-Erasmus 1996), and the rest of Canada. A common elected parliament having full powers over its jurisdictions would constitute the central institution of this Union. The Constitution of the Union would be based on the recognition of universal rights (political, judicial, economic and social) by the central government and all other governments of the Union. Cultural and categorical rights should also be asserted in a Charter, without necessarily having the same precedence as universal rights. We think that these rights would no longer come into conflict with national rights, those being recognized in the political institutions of the Union. Such a political regime would simultaneously recognize the plurality of national political cultures and the formation of a common citizenship within the supranational political community. Being at the same time a Quebecer and a Canadian, or a Native and a Canadian, would no longer be experienced as a contradiction but as the recognition of the inevitable complexity of identities.

Even if this approach can potentially solve the national and cultural conflicts by favoring the expression of multiple allegiances, it does not specify the nature of the new citizenship that would result. In other words, must the particularistic citizenship that has imposed itself in Canada (partly as the result of a political strategy to deny any special recognition of a national status for Quebecers and the native peoples) remain the model of a future Union? We think that this kind of citizenship based on the fragmentation of identities and the judicialization of social relations should also be re-examined. The fragmentation process should not be encouraged by the ongoing judicialization of conflict resolution, but translated into pluralistic policies. A pluralistic citizenship should impose itself over the present form. Political legitimacy should regain its primacy over judicial proceduralism. In our view, problems such as pay equity between genders, access to jobs in the public sector for cultural communities, or the rights of linguistic minorities to have their own schools, are better served through the political process than through the courts. That is, the recognition of the pluralistic dimensions of society should be part

of the ongoing political debate, rather than left to judges' decisions. Furthermore, the promotion of a pluralistic citizenship could favor the reinvention of new forms of universalism, instead of the particularization of social policies in the neoliberal context. For example, the introduction of a universal allocation could be preferred to the targeting of excluded groups of citizens. This new citizenship is possible as long as a community of interest and solidarity exists. We think that the creation of a supranational political community would be a primary condition for the emergence of this pluralistic citizenship.

These ideas are preliminary answers to the problems raised by the erosion of the Nation-State and the fragmentation of identities. Beyond the existence of profound transformations in the regulation of present societies, and more specifically in the Canadian situation, we want to underline the complexity of the possible interpretations and of the expected outcomes. We have proposed more or less utopian answers for the future, hoping that modernity is able to transform itself into what Giddens (1990) has called high modernity, as a compromise between modernity and post-modernity.

### Bibliography

- Birnbaum, P. (1996), "Sur la citoyenneté," *L'Année sociologique*, 46:1, pp. 57-85.
- Boismenu, G. and Jenson, J. (1996), "La réforme de la sécurité du revenu pour les sans-emploi et la dislocation du régime de citoyenneté canadien", *Politique et Société*, 30, pp. 29-52.
- Boismenu, G. (1995), "L'enjeu de la protection sociale dans le cadre de l'ALENA", in *Textes du colloque international: Intégration continentale, recomposition territoriale et protection sociale*, Montréal, Paris: Grésé, IRIS-TS.
- Bourque, G. and Duchastel, J., in collaboration with Armony, V. (1996a). *L'identité fragmentée: Nation et citoyenneté dans les débats constitutionnels canadiens, 1941-1992*, Montréal: Fides.
- Bourque, G. and Duchastel, J. (1996b), "Les identités, la fragmentation de la société canadienne et la constitutionnalisation des enjeux politiques", *International Journal of Canadian Studies*, 14, pp. 77-94.
- Burdeau, G. (1987), *Traité de science politique: L'État libéral et la démocratie gouvernée*, Paris: Librairie Générale de Droit et de Jurisprudence.
- Canada, Parliament, (1970), *Official Languages Act*, R.S.C., c.0-2, s.2.
- Deblock, C. and Brunelle, D. (1993), "Une intégration régionale stratégique: le cas nord-américain", *Études internationales*, 24:3, pp. 595-629.

- Dussault, R. and Erasmus, G. (1996), *Report of the Royal Commission on Aboriginal Peoples*, Ottawa: Royal Commission on Aboriginal Peoples.
- Ewald, J. (1986), *L'État providence*, Paris: Grasset.
- Ferry, J.-M. (1991), *Les puissances de l'expérience. Essai sur l'identité contemporaine*, Paris: Éditions du Cerf.
- Gellner, E. (1983), *Nations and Nationalism*, Oxford: Blackwell.
- Giddens, A. (1990), *The Consequences of Modernity*, Cambridge: Polity Press.
- Habermas, J. (1975), *Legitimation Crisis*, Boston: Beacon Press.
- Kymlicka, W. (1995), *Multicultural Citizenship*, New York, Oxford University Press.
- Labelle, M., Rocher, F. and Rocher, G. (1995), "Pluriethnicité, citoyenneté et intégration: de la souveraineté pour lever les obstacles et les ambiguïtés", *Cahiers de recherche sociologique*, 25.
- Laurendeau, A. and Dunton, A. D. (1970), *Report of the Royal Commission on Bilingualism and Biculturalism*, Ottawa: R. Duhamel.
- MacDonald, John. A., Canada, Legislature (1865), *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces*, Québec: Hunter, Rose & Lemieux.
- Mandel, M. (1994), *The Charter of Rights and the Legalization of Politics in Canada*, Toronto: Thompson Educational Pub.
- Marshall, T. H. (1977), *Class, Citizenship and Social Development*, Chicago: University of Chicago Press.
- Pal, L. A. (1993), *Interests of State. The Politics of Language, Multiculturalism, and Feminism in Canada*. Montréal: McGill-Queen's University Press.
- Parsons, T. (1969), *Politics and Social Structure*, New York, Free Press.
- Québec, National Assembly (1996), *Pay Equity Act*, 2nd Session, 35th Legislature.
- Reed, P. and Howe, V. (1991), "The Urge to Order: A Study of the Growth of Law in Canada", paper presented at the International Conference on Law and Society, Amsterdam.
- Rémillard, G. (1985), *Le fédéralisme canadien. Tome II: Le rapatriement de la constitution*. Montréal: Québec/Amérique.
- Rosanvallon, P. (1984), *La crise de l'État providence*, Paris: Seuil.
- Ryerson, S. B. (1972), *Le capitalisme et la confédération: aux sources du conflit Canada-Québec (1760-1873)*, Montréal: Parti pris.

Sanderson, S. K. (ed.) (1995), *Civilizations and World Systems: Studying World-Historical Change*, Altamira Press: Walnut Creek.

Schnapper, D. (1994), *La communauté des citoyens: sur l'idée moderne de nation*, Paris: Gallimard.

Taylor, C. (1992a), *Grandeur et misère de la modernité*, Montréal: Bellarmin.

Taylor, C. (1992b), *Multiculturalism and The Politics of Recognition*, Princeton: Princeton University Press.

Weaver, S. M. (1981), *Making Canadian Indian Policy: The Hidden Agenda: 1968-70*, Toronto: University of Toronto Press.

Young, M. (1990), *Justice and the Politics of Difference*, Princeton: Princeton University Press.

## CHAPTER 5 CRACKED CASINGS: NOTES TOWARDS AN ANALYTICS FOR STUDYING TRANSNATIONAL PROCESSES

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Transnational processes such as economic globalization confront the social sciences with a series of theoretical and methodological challenges. In the case of today's global economy, such a challenge comes out of the fact that it simultaneously transcends the exclusive territoriality of the national state, yet is implanted in national territories and institutions. As a result, economic globalization directly engages two marking features of much social science: the explicit or implicit assumption about the nation-state as the container of social processes; and the implied correspondence of national territory and nationally-exclusive territoriality (the institutional encasement of that territory). Both these assumptions describe conditions that have held for a long time -- throughout much of the history of the modern state since World War I and in some cases even earlier. But these conditions are now being partly unbundled.

These assumptions about the nation-state as container and territoriality as synonymous with territory work well for many of the subjects studied in the social sciences. But they are not helpful in elucidating a growing number of situations when it comes to globalization and to a whole variety of transnational processes now being studied by anthropologists and other social scientists. Nor are those assumptions helpful for developing the requisite research techniques.

One of the features of the current phase of globalization is that the fact that a process happens within the territory of a sovereign state does not necessarily mean it is a national process. This localization of the global, or of the non-national, in national territories does violence to many of the methods and conceptual frameworks prevalent in the social sciences. Developing the theoretical and empirical specifications that allow us to accommodate this is a difficult and collective effort. The new literature on transnationalism represents the beginning of one such effort. For instance, anthropologists and sociologists working on immigration have provided us with particularly fruitful studies in this regard, cross-border migration flows being a subject that lends itself to such an approach. (See, e.g. Basch et al., 1994, Mahler 1995, Smith 1995; Pessar and Grasmuck 1995.)